



DAC

PTO/SB/84 (07-08)
Approved for use through 09/30/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
P0850.70005US01

First named inventor: Kristen Briggs

Application No: 10/536,875-Conf. #6405

Art Unit: 1638

Filed: December 1, 2006

Examiner: C.K. Worley

Title: PLANT PRODUCTION OF IMMUNOGLOBULINS WITH REDUCED FUCOSYLATION

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8000

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity – fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status.
See 37 CFR 1.27.

☒ Other than small entity – fee \$ 1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Executed Declarations and Petitions Under 37 CFR 1.47(a) (identify type of reply):

☒ has been filed previously on 11/27/06 and 12/1/06.

☐ Is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ _____

☐ has been paid previously on _____.

☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4 STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

Erich E. Veitenheimer

Signature

Erich Veitenheimer

Typed or printed name

June 29, 2007

Date

40,420

Registration Number, if applicable

COOLEY GODWARD KRONISH LLP
1200 19th Street NW 5th Floor
Washington, DC 20036

Address

(202) 842-7800

Telephone Number

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Communication Relative to Petition; Transmittal; Return Receipt Postcard

Page 2 of 2

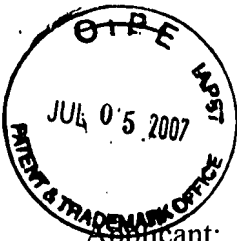
Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 3 2007

Signature: Melissa L.B. Lyons

Melissa L.B. Lyons



DOCKET NO.: P0850.70005US01

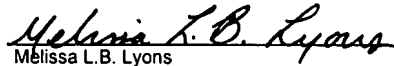
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kristen Briggs et al.
Serial No.: 10/536,875
Confirmation No.: 6405
Filed: December 1, 2006
For: PLANT PRODUCTION OF IMMUNOGLOBULINS WITH
REDUCED FUCOSYLATION
Examiner: C.K. Worley
Art Unit: 1638

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 3, 2007


Melissa L.B. Lyons

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

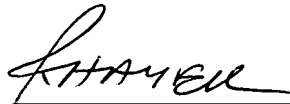
Communication Relative to Petition

Applicant's attorney is submitting a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b), signed by Erich Veitenheimer, who was Applicant's attorney until his power was revoked and power was granted to Customer Number 23628 (Notice of Acceptance of Power of Attorney mailed June 13, 2007).

Applicant's attorney respectfully requests that the enclosed Petition be granted and that the application be revived.

Respectfully submitted,

By:



Roque El-Hayek
Reg. No. 55,151
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2206
Telephone: (617) 646-8000

Docket No.: P0850.70005US01
Date: July 3, 2007



Docket No.: P0850.70005US01
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kristen Briggs et al.
Serial No.: 10/536,875
Confirmation No.: 6405
Filed: December 1, 2006
For: PLANT PRODUCTION OF IMMUNOGLOBULINS WITH
REDUCED FUCOSYLATION
Examiner: C. K. Worley
Art Unit: 1638

Certificate of Mailing Under 37 CFR 1.8(a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: July 3, 2007

Melissa L.B. Lyons
Melissa L.B. Lyons

TRANSMITTAL LETTER

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) and
2. Communication Relative to Petition.

Our check in the amount of \$1,500.00 covering the required fee is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 23/2825, under Docket No. P0850.70005US01. A duplicate copy of this paper is enclosed.

Dated: July 3, 2007

Respectfully submitted,

By

Roque El-Hayek
Roque El-Hayek

Registration No.: 55,151

WOLF, GREENFIELD & SACKS, P.C.

Federal Reserve Plaza

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

(617) 646-8000